UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA, Plaintiff, v. **Jesus OROZCO-Cornejo A.K.A. Chuchi** Defendant	Magistrate Docket No. '08 MJ 1267
	COMPLAINT FOR VIOLATION OF:
	Title 8, U.S.C., Section 1326 Deported Alien Found in the United States

08 APR 24 PM 1:43
CLERK, U.S. DISTRICT COURT SOUTHERN DISTRICT OF CALIFORNIA
BY: DEPUTY

The undersigned complainant, being duly sworn, states:

On or about **April 21, 2008** within the Southern District of California, defendant, **Jesus OROZCO-Cornejo, AKA: Chuchi,** an alien, who previously had been excluded, deported and removed from the United States to **Mexico**, was found in the United States, without the Attorney General or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States Code, Sections 202(3) and (4), and 557), having expressly consented to the defendant's reapplication for admission into the United States; in violation of Title 8 United States Code, Section 1326.

And the complainant further states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

SIGNATURE OF COMPLAINANT
Glenn Graczyk
Senior Patrol Agent

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS **24rd** DAY OF **APRIL, 2008.**

Jan M. Adler
UNITED STATES MAGISTRATE JUDGE

CONTINUATION OF COMPLAINT:
Jesus OROZCO-Cornejo
AKA: Chuchi

PROBABLE CAUSE STATEMENT

In January of 2008, San Diego Sheriff's Detective Nicholas Moran contacted me and stated that a subject known to him as **Jesus OROZCO-Cornejo, AKA: Chuchi**, hereinafter referred to as the defendant, was observed at an address in De Luz, California. Detective Moran stated that he believed the defendant was a previously deported alien.

As part of my regular duties on the San Diego Sector Smuggling Interdiction Group (SIG), I run official record checks on previously deported criminal aliens. I do this in order to determine if any of these illegal aliens have returned to the United States in violation of Title 8 of the United States Code, Section 1326. On January 28, 2008, I ran official record checks on the defendant.

These official record checks revealed on November 15, 2004, that the defendant was arrested by the San Diego Sheriff's Department in Fallbrook California for the offense of Possession of a Controlled Substance, in violation of Section 11377(a) of the California Health and Safety Code; To Wit: Methamphetamine and Possession of an Assault Weapon, in violation of Section 12280(b) of the California Penal Code. The defendant was convicted of these offenses on February 3, 2005.

Record checks and a review of the defendant's official alien immigration record indicate that he is a citizen and national of Mexico. An Immigration Judge ordered the defendant removed to Mexico on **March 23, 2005,** in San Ysidro, California. An Immigration Officer executed this order on March 23, 2005.

On April 11, 2008, San Diego Sheriff's Deputy Jeffrey Holder took a report from the victim of a crime, hereinafter referred to as victim #1. Victim #1 positively identified the defendant as the person who pointed a gun at him after hearing a gunshot outside of his residence. The defendant is personally known by victim #1.

On April 21, 2008, San Diego Sheriff's Detective James Pucillo contacted me and stated that the defendant was positively identified through the use of a photo line up, on April 14, 2008, by the victim of a crime, hereinafter referred to as victim #2. Victim #2 identified the defendant as the person who shot at him then shot and killed victim #2's dog on February 19, 2008.

Detective Pucillo also presented a photo line-up on April 15, 2008 to another victim of a crime, hereinafter referred to as victim #3. Victim #3 positively identified the defendant, as the person who threatened him and pointed a gun at him on March 3, 2008.

Nothing contained in the official records maintained by the United States Citizenship and Immigration Services indicates that the defendant has applied to the Attorney General of the United States or the Secretary of Department of Homeland Security for permission to reenter the United States.

Based on the foregoing there is probable cause to believe that **Jesus OROZCO-Cornejo AKA: Chuchi** has illegally re-entered the United States after deportation in violation of Title 8 of the United States Code, § 1326, deported alien found in the United States.